

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

2004 OCT 15 P 3:00

U.S. DISTRICT COURT  
DISTRICT OF MASS.

BANK OF THE WEST,  
Plaintiff

v.

KATHERINE BEESLEY,  
In Personam

AND

M/V DEFIANCE,  
her engines and equipment,  
In Rem  
Defendants

CIVIL ACTION NO.  
04 CV 10407 RGS

**PLAINTIFF'S MOTION FOR ORDER APPROVING THE SALE OF VESSEL**

Now comes the Plaintiff in the above entitled action, by its attorney, and respectfully moves this Honorable Court approve the sale of the M/V DEFIANCE conducted by the United States Marshal, which took place on September 10, 2004.

At the sale, which was an auction conducted by duly appointed representative of the Marshal's Office, the vessel was sold for \$1.00 (one dollar) as it appears in the paperwork submitted by the Marshal's Office. As the sale was duly publicized and all parties had notice of the sale, the sale should be approved by this Court.

WHEREFORE, the Plaintiff prays that its motion be allowed and that the attached Order issue forthwith.

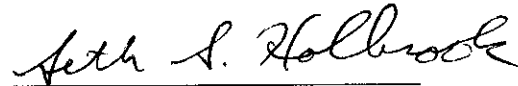
By its attorney,



Seth S. Holbrook, BBO# 237850  
HOLBROOK & MURPHY  
150 Federal Street, 12<sup>th</sup> Floor  
Boston, MA 02110  
(617) 428-1151

**CERTIFICATE OF SERVICE**

I hereby certify that on October 15<sup>th</sup>, 2004, a true copy of Plaintiff's Motion for Order Approving the Sale of the Vessel was served by mail, postage prepaid, to the following people: Ms. Katherine Beesley, 60 Maverick St., Marblehead, MA 01945, and Mr. Marshall J. Handly, Handly, Cox & Moorman, P.C., 9 Abbott St., Beverly, MA 01915.



Seth S. Holbrook, BBO# 237850  
Holbrook & Murphy  
150 Federal Street, 12<sup>th</sup> Floor  
Boston, MA 02110  
(617) 428-1151